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COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, NOVEMBER 7, 2001

APPLICATION OF

ENERGYWINDOW, INC.

CASE NO. PUE010481

For a permanent license to
Conduct business as an
electric and natural
gas aggregator

and

APPLICATION OF

ENERGYWINDOW, INC.

CASE NO. PUE000410

For a license to conduct
business as an aggregator
in electric retail access
pilot programs

ORDER GRANTING LICENSE

On September 21, 2001, EnergyWindow, Inc., ("EnergyWindow" or "the Company"), completed an application with the State Corporation Commission ("Commission") to convert and expand its pilot license, License No. PA-2,¹ to a permanent license to provide competitive electric aggregation services to all classes of retail customers throughout the Commonwealth of Virginia as

¹ This license, issued in Case No. PUE000410, authorized EnergyWindow to provide competitive electric aggregation services to residential, commercial, and industrial customers in the retail access pilot programs of Virginia Electric and Power Company ("Virginia Power"), Appalachian Power Company d/b/a American Electric Power ("AEP-VA"), and Rappahannock Electric Cooperative ("REC").

the Commonwealth opens up to retail access and customer choice. In addition, EnergyWindow requests a license to conduct business as a natural gas aggregator, also throughout the Commonwealth of Virginia. The Company attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 of the Commission's Rules Governing Retail Access to Competitive Energy Services, ("Retail Access Rules").

On September 27, 2001, the Commission issued its Order For Notice and Comment. That Order docketed the application, directed EnergyWindow to provide notice of its application upon appropriate persons, including the utilities identified in Attachment A to the Order, and invited comments to be filed on the application.

In a document filed on October 15, 2001, EnergyWindow, by counsel, notified the Commission that, due to an administrative error, notice to the utilities listed on Attachment A to the September 27, 2001, Order was sent out on October 12, 2001. The Company has provided proof of this notice, in its October 15, 2001 filing.

By Motion dated October 16, 2001, EnergyWindow requested an extension of the procedural dates established in the September 27, 2001, Order. In its Motion, EnergyWindow proposed that the time to comment on the application be extended to October 29, 2001; that the time in which the Staff may file its report be

extended to November 2, 2001; and that the time in which the Company may respond to the Staff Report be extended to November 9, 2001.

By Order dated October 19, 2001, the Commission granted EnergyWindow's Motion and amended the procedural schedule as proposed by EnergyWindow. No comments on EnergyWindow's application were filed.

The Staff filed its Report on November 2, 2001, concerning EnergyWindow's technical and financial fitness to provide competitive aggregation services. In its Report, Staff summarized EnergyWindow's proposal and evaluated its financial condition and technical fitness. Staff concluded that EnergyWindow possesses the financial responsibility and technical experience to provide both electric and natural gas aggregation services for all classes of customers throughout Virginia. Staff recommended that a license be granted to EnergyWindow for the provision of electric and natural gas aggregation services.

NOW UPON consideration of EnergyWindow's application to convert and expand its present license to a permanent license to conduct competitive electric and natural gas aggregation services to all classes of retail customers throughout the Commonwealth, and Staff's Report, the Commission is of the opinion and finds that EnergyWindow's request should be granted;

that Case No. PUE000410, the docket granting the Company a license to participate in the pilot programs of Virginia Power, AEP-VA, and REC, be closed so that our docket may be administered in a more efficient manner; and that any reports that EnergyWindow must file in accordance with the Commission's Interim Rules Governing Electric and Natural Gas Retail Access Pilot Programs, 20 VAC 5-311-10 et seq., ("Interim Rules") should be filed in the captioned docket, Case No. PUE010481.

Accordingly, IT IS ORDERED THAT:

(1) EnergyWindow's License No. PA-2 is hereby cancelled and replaced with License No. A-7 for the provision of competitive electric and natural gas aggregation services to residential, commercial, and industrial retail customers in the service territories of Virginia Power, AEP-VA, REC, and Columbia Gas of Virginia, Inc., in accordance with the terms of these pilot programs and in the service territory of Washington Gas Light Company and throughout the Commonwealth of Virginia as the Commonwealth opens up to retail access and customer choice for electric and natural gas service.

(2) This license is not valid authority for the provision of any product or service not identified within the license itself.

(3) Failure of EnergyWindow to comply with the Interim Rules, the Retail Access Rules, the provisions of this Order,

other State Corporation Commission orders and rules, or other applicable state or federal laws may result in an enforcement action by the Commission including, without limitation, the revocation, suspension, or modification of the license granted herein, the refusal to renew such license, the imposition of appropriate fines and penalties, or such other additional actions as may be necessary to protect the public interest.

(4) Case No. PUE000410 is hereby closed.

(5) This matter shall remain open pending the receipt of any reports required by the Interim Rules and the Retail Access Rules, as well as any subsequent amendments or modifications to the license granted herein.